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SUBJECT: ARTICLE 301 CONTINUES TO HAUNT DINK FAMILY

REF: A. 06 ANKARA 5711

[B](#). 05 ISTANBUL 1780

[C](#). ANKARA 0144

[1](#)1. (SBU) Summary: Hrant Dink's son Arat, a managing editor at the Armenian-language weekly newspaper his father founded, and another "Agos" colleague were acquitted on June 14 of charges associated with "attempting to influence the judiciary." The same court postponed the hearing of a more controversial Article 301 case against the two defendants until July 18; perhaps conveniently subordinating press coverage of the trial to that of the July 22 parliamentary elections. End summary.

[1](#)2. (SBU) On September 18, 2006 a prosecutor in Istanbul's Sisli District filed charges against the management of the Armenian language weekly "Agos" newspaper for allegedly violating Turkish Penal Code Articles 11 (libel) and 301 (insulting "Turkishness") (ref A). The charges against Hrant Dink, his son Arat and Serkis Seropyan stemmed from an Agos article by an unnamed author, entitled "One Signature Against 301," which quotes Hrant Dink's July 2006 comments to Reuters on the 1915 Armenian massacre, "Of course I say this is a genocide because the result already defines itself and names itself. You see that a people that had been living in this land for more than 4000 years ceased to exist after these incidents." In addition to this case, the three had been charged in December 2005 in a separate incident for allegedly "attempting to influence the judiciary" by publishing a piece which criticized Hrant Dink's October 2005 Article 301-related conviction (ref B).

[1](#)3. (SBU) The first hearing associated with both cases was to have taken place in February, however it was postponed following Hrant Dink's assassination on January 19 (ref C). The indictments against Hrant Dink were formally dropped posthumously in March, however his son Arat -- a managing editor at the newspaper -- and Arat's supervisor Serkis Seropyan continued to face charges. The Sisli First Instance Court #2 convened on June 14 to hear the two cases and acquitted Arat Dink and Seropyan the "attempting to influence the judiciary" charges. The court postponed until July 18 the hearing for the remaining case, including the Article 301 charges.

[1](#)4. (SBU) Meanwhile, press reported on June 22 that the Dink family had received official approval to establish the International Hrant Dink Foundation. Hrant Dink's immediate family members, including his wife Rakel and son Arat, will form the Foundation's board. The Foundation's headquarters will be in Istanbul, with additional offices abroad.

15. (SBU) Comment: While the acquittal on the December 2005 charge is a positive development, it is the Article 301 charge that focuses the international spotlight on Turkey. Though postponements are not unusual in Turkey, the new hearing date is suspiciously close to the July 22 general elections; media coverage of the case may be overshadowed by election reporting. End comment.
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